

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**CERTIFICATE UNDER 37 C.F.R. §1.8(a)**

I hereby certify that the documents enclosed herein are being deposited with the United States Postal Service on this 6<sup>th</sup> day of February, 2004 in an envelope as first class mail addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

Michelle Ludwig

In re application of: )  
Seale et al. )  
Serial No.: 10/707,039 ) Examiner: Unknown  
Filed: November 17, 2003 ) Group Art Unit: Unknown  
For: Amino Acid Sequence Variant Alfalfa )  
Antifungal Protein and Its Use in Plant Disease )  
Control )

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

**TRANSMITTAL LETTER**

Transmitted herewith are the following documents in the above-identified application.

Transmittal of Information Disclosure Statement within three Months of Filing or Before Mailing of First Office Action (37 C.F. R. §1.97(b))

PTO Form 1449

Four (4) References

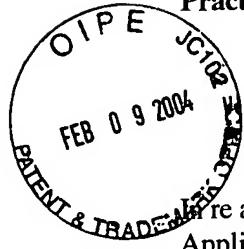
If an extension or an additional extension of time is required, but is not enclosed, please consider this a conditional petition therefor and charge Deposit Account 13-4125 accordingly.

No fee is believed required with this filing.

Please charge any deficiencies or credit any overpayment to Deposit Account 13-4125. A duplicate copy of this sheet is attached.

Respectfully submitted,

Timothy K. Ball, Ph.D., Esq.  
Reg. No. 42,287  
Monsanto Company  
800 North Lindbergh Boulevar  
St. Louis, Missouri 63167  
(314) 694-5811  
(314) 694-5311 (fax)



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

re application of: Seale et al.  
 Application No.: 10/707,039 Group No.: Unknown  
 Filed: November 17, 2003 Examiner: Unknown  
 For: Amino Acid Sequence Variant Alfalfa Antifungal Protein and Its Use in Plant  
 Disease Control

Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT  
 WITHIN THREE MONTHS OF FILING OR  
 BEFORE MAILING OF FIRST OFFICE ACTION (37 C.F.R. section 1.97(b))**

**IDENTIFICATION OF TIME OF FILING THE ACCOMPANYING  
 INFORMATION DISCLOSURE STATEMENT**

The information disclosure statement submitted herewith is being filed within three months of the filing date of the application or date of entry into the national stage of an international application or before the mailing date of a first Office action on the merits, whichever event occurs last. 37 C.F.R. section 1.97(b).

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**CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. section 1.8(a))**

I hereby certify that, on the date shown below, this correspondence is being:

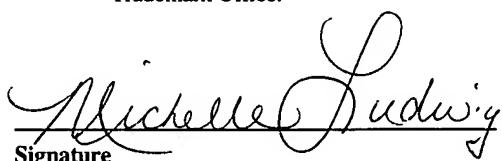
**MAILING**

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Date: February 6, 2004

**FACSIMILE**

transmitted by facsimile to the Patent and Trademark Office.

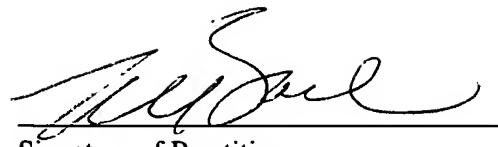
  
 Signature

Michelle Ludwig  
 (type or print name of person certifying)

Practitioner's Docket No. 38-21(15546)A

Date: Feb 6, 2004

Rég. No.: 42,287  
Tel. No.: 314-694-5811  
Customer No.: 27161



Signature of Practitioner

Timothy K. Ball, Ph.D., Esq.

			ATTY. DOCKET NO. 38-21(15546)A	APPLICATION NO. 10/707,039			
O I P E FORM PTO-1449 INFORMATION DISCLOSURE STATEMENT			APPLICANT Seale, et al.				
FEB 09 2004			FILING DATE November 17, 2003		GROUP To be assigned		
U.S. PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA	6,121,436	9/19/2000	Liang et al.			
	AB	6,316,407	11/13/2001	Liang et al.			
	AC	6,329,504	12/11/2001	Liang et al.			
FOREIGN PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AD						Yes No
OTHER (Including Author, Title, Date, Pertinent Pages, etc.)							
AE		DeSamblanx et al., Mutational Analysis of a Plant Defensin from Radish ( <i>Raphanus sativus L.</i> ) Reveals Two Adjacent Sites Important for Antifungal Activity, <i>Journal of Biological Chemistry</i> 272:1171-1179 (1997)					
EXAMINER				DATE CONSIDERED			
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.							